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Counsel for Lead Plaintiff

11 Lead Counsel for the Class

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

15 RICHARD GREGORY, On Behalf of Himself )  
 and All Others Similarly Situated, )

16 Plaintiff, )

17 vs. )

18 CHIRON CORPORATION, HOWARD H. )  
 19 PIEN, JOHN A. LAMBERT and DAVID V. )  
 SMITH, )

20 Defendants. )

Case No. C-04-4293-VRW

CLASS ACTION

STIPULATION TO EXTEND DATE FOR  
 FILING BRIEFS AND CONTINUE  
 HEARING REGARDING PRELIMINARY  
 APPROVAL OF SETTLEMENT;  
 [PROPOSED] ORDER

Original Hearing Date:

DATE: February 14, 2008  
 TIME: 10:00 a.m.  
 CTRM: Hon. Vaughn R. Walker

Proposed Hearing Date:

DATE: February 21, 2008  
 TIME: 3:30 p.m.  
 CTRM: Hon. Vaughn R. Walker

28 STIPULATION TO EXTEND DATE FOR FILING BRIEFS AND CONTINUE HEARING;  
 [PROPOSED] ORDER  
 CASE NO.: C-04-4293-VRW

1 WHEREAS, on December 20, 2007, the Court held a Case Management Conference  
 2 (“CMC”) in which the proposed settlement of the above-captioned consolidated action was  
 3 discussed. Following the CMC, the Court ordered the parties to file further briefs regarding the  
 4 proposed settlement by January 29, 2008 and scheduled a further hearing regarding the proposed  
 5 settlement on February 14, 2008, at 10:00 a.m.;

6 WHEREAS, the parties wish to extend the time for filing the briefs regarding the  
 7 proposed settlement from January 29, 2008 to February 12, 2008. Class counsel requires the  
 8 additional time in order to confer with Lead Plaintiff and other parties concerning the proposed  
 9 settlement and the issues previously raised by the court.

10 WHEREAS, the parties also wish to continue the hearing on the proposed settlement by a  
 11 week, from February 14, 2008 to February 21, 2008, for the same reason.

12 NOW THEREFORE, subject to the Court’s approval, the parties stipulate, agree and  
 13 jointly respectfully request that the Court:

14 1. Extend the deadline for filing briefs regarding the proposed settlement from January  
 15 29, 2008 to February 12, 2008; and

16 2. Continue the date of the hearing regarding the proposed settlement from February 14,  
 17 2008 to February 21, 2008.

18 DATED: January 22, 2008

MILBERG WEISS LLP  
 JEFF S. WESTERMAN  
 ELIZABETH P. LIN

21 /s/ Elizabeth P. Lin  
 22 ELIZABETH P. LIN

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*Counsel for Lead Plaintiff*

DATED: January 22, 2008

WACHTELL, LIPTON, ROSEN & KATZ  
PAUL K. ROWE

*/s/ Paul K. Rowe*  
\_\_\_\_\_  
PAUL K. ROWE

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*Counsel for Defendant Novartis Vaccines and  
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Corporation)*

DATED: January 22, 2008

SKADDEN ARPS SLATE MEAGHER  
& FLOM LLP  
JAMES E. LYONS  
AMY PARK

*/s/ James E. Lyons*  
\_\_\_\_\_  
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Diagnostics, Inc. (formerly known as Chiron  
Corporation), Howard H. Pien, John A.  
Lambert and David V. Smith*

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ORDER

The above stipulation having been considered and good cause appearing therefore, it is ordered that:

1. The deadline for filing briefs regarding the proposed settlement shall be extended from January 29, 2008 to February 12, 2008; and

2. The date for the hearing regarding the proposed settlement shall be continued from February 14, 2008 to February 21, 2008.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE VAUGHN R. WALKER  
JUDGE OF THE DISTRICT COURT

**SIGNATURE ATTESTATION**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

*/s/ Elizabeth P. Lin*

ELIZABETH P. LIN